

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Barbara Loder Hildebrandt,)	
)	
Plaintiff,)	Case No. 1:02-CV-0003
)	
vs.)	
)	
Hyatt Corporation, <u>et al.</u> ,)	
)	
Defendants.)	

O R D E R

This matter is before the Court on Defendants' motion for an extension of time to identify rebuttal expert witnesses (Doc. No. 66). In their motion, Defendants request an extension to April 23, 2004 to identify their rebuttal expert witnesses. The deadline for Defendants to identify rebuttal experts was April 3, 2004. Plaintiff opposes Defendants' motion on three grounds: 1) Defendants did not comply with Local Rule 7.3, which requires parties to confer regarding motions for extensions; 2) Defendants have not explained why they could not have identified their rebuttal experts sooner; and 3) Plaintiff will be prejudiced by an extension because it will impose an additional burden during a period when counsel is finishing up other discovery matters in this case and preparing a response to Defendants' motion for summary judgment.

In March 2003, the Court presided over a dispute between the parties regarding Defendants' non-production of documents responsive to certain interrogatories and document requests propounded by Plaintiff. At that time, to alleviate prejudice to the Plaintiff caused by Defendants' late production

of the requested documents, the Court issued an order (Doc. No. 56) which extended all of the deadlines established in the original calendar order for a period of one year. The Court further stated in this order that "[n]o further extensions of these deadlines will be granted." Id. at 56. As Plaintiff points out, Defendants have not proffered any reason why they were unable to identify their rebuttal witnesses within the extension granted last March. Nor have Defendants explained why the Court should disregard its explicit warning that no further extensions of the deadlines would be granted. Consequently, the Court finds that Defendants have not shown good cause for further amending the trial calendar.

Accordingly, Defendants' motion for an extension of time in which to identify their rebuttal expert witnesses is not well-taken and is **DENIED**.

IT IS SO ORDERED

Date April 8, 2004

s/Sandra S. Beckwith
Sandra S. Beckwith
United States District Judge